



Signature Report

October 21, 2004

Ordinance

Proposed No. 2004-0465.2

Sponsors Patterson

1 AN ORDINANCE related to subdivisions; extending the
2 effective time for preliminary approval of subdivisions of those
3 urban subdivisions required by preliminary plat conditions to
4 install both septic tanks and dry sewers for eventual utility
5 district connection; and amending Ordinance 13694, Section 56,
6 as amended, and K.C.C. 19A.12.020.

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9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Findings.

11 A. Under K.C.C. Title 19A, the majority of preliminary subdivisions expire after
12 sixty months from their approval date, unless all conditions of preliminary plat approval
13 have been met and the lots have been recorded.

14 B. While this time period is ordinarily sufficient to satisfy requirements
15 necessary to record, where project drainage requirements require approval of jurisdictions
16 other than King County, these time periods may be too short to complete additional
17 process and complete associated improvements.

18 C. The difficulty meeting otherwise applicable time requirements is especially
19 apparent for small subdivisions containing fewer than fifteen lots, where financial
20 resources are often insufficient to allow the expenditures needed to complete the more
21 extensive multijurisdictional process involved and to thereafter implement associated
22 conditions of approval within the current sixty-month approval period.

23 D. In those particular cases where such developments were required to bear the
24 expense of installing both septic and dry sewer systems, the county has determined that
25 that balance of fairness concerns tips decidedly in favor of providing a preliminary plat
26 approval period that extends twenty additional months beyond the otherwise applicable
27 sixty-month period.

28 SECTION 2. Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020
29 are each hereby amended to read as follows:

30 **Preliminary approval of subdivision.**

31 A. Preliminary subdivision approval shall be effective for a period of sixty months.

32 B. Preliminary subdivision approval shall be considered the basis upon which the
33 applicant may proceed toward development of the subdivision and preparation of the final
34 plat subject to all the conditions of the preliminary approval.

35 C. If the final plat is being developed in divisions, and final plats for all of the
36 divisions have not been recorded within the time limits provided in this section, preliminary
37 subdivision approval for all unrecorded divisions shall become void. The preliminary
38 subdivision for any unrecorded divisions must again be submitted to the department with a
39 new application, subject to the fees and regulations applicable at the time of submittal.

40 D. An urban planned development permit, fully contained community permit, or
41 development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the
42 preliminary approval period beyond sixty months for any preliminary subdivision approved
43 simultaneous or subsequent to the urban planned development permit or fully contained
44 community permit. Such extensions may be made contingent upon satisfying conditions
45 set forth in the urban planned development permit, fully contained community permit or
46 development agreement. In no case shall the extended preliminary approval period exceed
47 the expected buildout time period of the urban planned development or fully contained
48 community as provided in the urban planned development permit, fully contained
49 community permit or development agreement. This section shall apply to any approved
50 urban planned development permit, fully contained community permit or development
51 agreement in existence on January 1, 2000, or approved subsequent to January 1, 2000.

52 E. For any plat with more than four hundred lots that is also part of the county's
53 four to one program, the preliminary subdivision approval shall be effective for eighty-four
54 months. This subsection applies to any preliminary plat approved by either the council or
55 the hearing examiner, or both, on or after January 1, 1998, that relates to a four to one
56 program with proposed plats containing more than four hundred lots.

57 F. For any plat with more than fifty lots where fifty percent or more of those lots
58 will constitute affordable housing which is housing for those that have incomes of less than
59 eighty percent of median income for King County as periodically published by the United
60 States Department of Housing and Urban Development, or its successor agency, and at
61 least a portion of the funding for the project has been provided by federal, state or county
62 housing funds, the preliminary subdivision shall be effective for seventy-two months. This

63 subsection applies to any plat that has received preliminary approval on or after January 1,
64 1998.

65 G. For any urban area plat that contains fewer than fifteen lots and that was
66 required by preliminary plat conditions to install both septic tanks and dry sewers for
67 eventual utility district connection, the preliminary subdivision shall be effective for a
68 period of eighty months. This subsection shall apply to any plat that has received
69 approval on or after January 1, 1998, and shall retroactively apply to such plats. For plats
70 that have exceeded their otherwise effective approval period of sixty months, the
71 preliminary approvals remain valid for the eighty-month period specified in this
72 subsection if, within one month of the effective date of this ordinance, a request for

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73 administrative extension is submitted to and approved by the department. This
74 subsection expires April 1, 2005.

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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, ____.

Ron Sims, County Executive

Attachments None